

Message

From: Carl Garvey [cgarvey@racertrust.org]
Sent: 1/26/2021 3:44:02 PM
To: Ludmer, Margo [ludmer.margo@epa.gov]; Doyle, James [Doyle.James@epa.gov]
Subject: Appeal of Ley Creek OU-2 decision to 2nd Circuit
Attachments: Appellees' Brief.pdf

Hi Margo and Jim: RACER is in the process of preparing its Sur-Reply to the attached Reply Brief. The Sur-Reply is due on February 5th. The Defendant-Appellees continue to argue that RACER's case is premature because of USEPA's new status as Lead Agency. Apparently the Defendant-Appellees think that everything at Ley Creek OU-2 should be on hold until the Agency takes enforcement action against them. So, as we prepare the Sur-Reply, if there's anything at all that you can report to us about impending enforcement actions, can you please let me know? Thank you. --Carl

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